

ing that the article had been shipped by the Mineralvita Sales Co. from Toledo, Ohio, on or about February 1 and 3, 1941; and charging that it was adulterated and misbranded.

Analysis of a sample of the article showed that it consisted essentially of sodium sulfate (1.3 percent), and slaked lime (0.9 percent), and that it contained but inconsequential traces of, if any, manganese peptonate, lithium carbonate, calcium phosphate, manganese sulfate, dipotassium phosphate, disodium phosphate, lithium bromide, magnesium glycerophosphate, ferric phosphate, and magnesium chloride.

The article was alleged to be adulterated in that its strength differed from and its quality fell below that which it purported or was represented to possess, in that the labeling bore representations that minerals including manganese peptonate, lithium carbonate, calcium phosphate, manganese sulfate, dipotassium phosphate, disodium phosphate, lithium bromide, magnesium glycerophosphate, ferric phosphate, and magnesium chloride had been added thereto, whereas it contained but inconsequential traces, if any, of the above-named minerals; in that representations in the labeling (leaflet) that it had always been a source of precious minerals such as calcium phosphate and ferric phosphate, and that 4 ounces four times a day in combination with regular meals would furnish young and old their daily requirement of minerals including phosphorus, whereas it contained no phosphorus, no significant proportion of calcium phosphate or ferric phosphate and could not be depended upon to supply the various minerals which might be deficient in the daily diet; and that Mineralvita had been scientifically blended with the minerals found in the human system and then treated by a form of electrolysis which prepared them for assimilation into the blood stream, whereas it had not been scientifically blended with the minerals found in the human system, and treatment by electrolysis, if used, would not separate and prepare any of its minerals for entry into the human system nor make them readily assimilated into the blood stream.

It was alleged to be misbranded: (1) In that the statement on the bottle label, "Minerals Added Manganese peptonate Lithium carbonate Calcium oxide Calcium phosphate Manganese sulphate Potassium iodide Di Potassium phosphate Potassium chloride Di Sodium phosphate Lithium Bromide Magnesium glycerophosphate Calcium gluconate Ferric Phosphate Magnesium chloride Sodium sulphate Artificial coloring," was false and misleading since it contained but inconsequential proportions of, or no, manganese peptonate, lithium carbonate, calcium phosphate, manganese sulfate, dipotassium phosphate, disodium phosphate, lithium bromide, magnesium glycerophosphate, ferric phosphate, or magnesium chloride. (2) In that the statement in the labeling "treated by \* \* \* electrolysis" was false and misleading since the labeling failed to reveal the material fact that any treatment by electrolysis to which the water may have been subjected had not affected its composition or quality in any material manner. (3) In that the designation "Mineralvita" on the bottle label and shipping case and the statement on the shipping case label, "Manufactured from Nature's Minerals to Promote Health and Strength," was false and misleading since it did not contain life minerals, was not manufactured from natural minerals, and could not be depended upon to promote health and strength.

On April 4, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**473. Adulteration and misbranding of Virgitalis Digitalis Lanata Tablets. U. S. v. 7 Bottles of Virgitalis Digitalis Lanata Tablets. Default decree of condemnation and destruction. (F. D. C. No. 3902. Sample Nos. 50070-E, 50095-E.)**

The labeling of this product represented that it possessed per gram (approximately  $1\frac{1}{2}$  grains) an activity equivalent to not less than 1 U. S. P. unit of digitalis; whereas it possessed an activity not greater than  $\frac{1}{3}$  U. S. P. unit of digitalis.

On March 3, 1941, the United States attorney for the District of Columbia filed a libel against the above-named product at Washington, D. C., alleging that it had been shipped by Van Pelt & Brown, Inc., on or about January 8, 1941, from Richmond, Va.; and charging that it was adulterated and misbranded. It was labeled in part: "Tablets Virgitalis Digitalis Lanata \* \* \* Each Tablet Assays \* \* \*  $1\frac{1}{2}$  grains Standardized Whole Digitalis Leaf (Physiologically Standardized)."

The article was alleged to be adulterated in that its strength differed from that which it purported or was represented to possess, namely, "Each Tablet

Assays \* \* \*  $1\frac{1}{2}$  grains Standardized Whole Digitalis Leaf (Physiologically Standardized)." It was alleged to be misbranded in that the above-quoted statement was false and misleading.

On March 21, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**474. Adulteration of sassafras oil. U. S. v. 49 Pounds of an Article Labeled in Part "Oil Sassafras Natural." Default decree of condemnation and destruction. (F. D. C. No. 3682. Sample No. 10873-E.)**

This product was not sassafras oil but was a mixture of oils obtained from sources other than sassafras including a small proportion of methyl salicylate.

On January 23, 1941, the United States attorney for the Southern District of New York filed a libel against 49 pounds of sassafras oil at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about January 1, 1941, by M. E. Proffitt from Johnson City, Tenn.; and charging that it was adulterated and misbranded. It was labeled in part: "Southern Oleum Sassafras, U. S. P."

The article was alleged to be adulterated in that a substance, namely, a mixture of oils other than sassafras oil, had been substituted wholly or in part therefor.

It was alleged to be misbranded in that the statement on the label, "Oil Sassafras Natural," was false and misleading as applied to this article, which was not the article described in the United States Pharmacopoeia under the title "Oleum Sassafras," subtitle "Oil of Sassafras."

On February 15, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### VITAMIN PREPARATIONS

**475. Adulteration and misbranding of Vitamin A-D Tablets. U. S. v. 15 Cartons of Vitamin A-D Tablets. Default decree of condemnation and destruction. (F. D. C. No. 5154. Sample No. 65018-E.)**

Each of these tablets was represented to contain 3,150 U. S. P. units of vitamin A, but biological examination showed that they contained not more than 2,500 U. S. P. units of vitamin A per tablet.

On July 15, 1941, the United States attorney for the District of Colorado filed a libel against 15 cartons each containing 90 Vitamin A-D Tablets at Denver, Colo., which had been consigned by Bleything Laboratories, alleging that the article had been shipped from Los Angeles, Calif., on or about March 7 and 11, 1941; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that its strength differed from and its quality fell below that which it was represented to possess. It was alleged to be misbranded in that the statement on the label, "Each tablet contains not less than 3,150 U. S. P. units of vitamin 'A'," was false and misleading.

It was also alleged to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 2991.

On September 17, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**476. Adulteration and misbranding of Hain Becompx Capsules. U. S. v. 56 Packages of Hain Becompx Capsules. Default decree of condemnation and destruction. (F. D. C. No. 4375. Sample No. 32497-E.)**

This product was represented to contain 100 International Units of vitamin B<sub>1</sub> per capsule. Biological assay, however, showed that it contained not more than 60 U. S. P. units of vitamin B<sub>1</sub> per capsule (1 U. S. P. unit is equivalent to 1 International Unit of vitamin B<sub>1</sub>).

On April 17, 1941, the United States attorney for the Southern District of California filed a libel against 56 packages of Hain Becompx Capsules, alleging that the article had been shipped in interstate commerce on or about December 9, 1940, by the International Vitamin Corporation from Brooklyn, N. Y.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that its strength differed from and its quality fell below that which it was represented to possess, namely, "Each capsule contains: B<sub>1</sub>—100 International (200 Sherman) Units." The article was alleged to be misbranded in that the following statements appearing on the box were false and misleading since they were incorrect: "Each Capsule contains: B<sub>1</sub>—100 International (200 Sherman) Units." The article was also charged to